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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA  
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7 ZAIT ITZHAK NINIO,

8 Petitioner,

9 v.

10 MERRICK GARLAND,<sup>1</sup> et al.,

11 Respondents.  
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Case No. 2:21-cv-00414-RFB-DJA

**ORDER**

13 This is a habeas corpus action under 28 U.S.C. § 2241. Petitioner has submitted an  
14 application to proceed in forma pauperis. ECF No. 1-1 at 15-19. The application is incomplete,  
15 but petitioner himself states that he has enough money in his account to pay the filing fee of \$5.00.  
16 ECF No. 1-1 at 18.

17 IT THEREFORE IS ORDERED that the clerk of the court file the application to proceed in  
18 forma pauperis, currently in the docket at ECF No. 1-1 at 15-19.

19 IT FURTHER IS ORDERED that the application to proceed in forma pauperis (ECF No.  
20 1) is **DENIED**. Petitioner will have 45 days from the date that this order is entered to have the  
21 filing fee of \$5.00 sent to the clerk of the court. Failure to comply will result in the dismissal of  
22 this action.

23 IT FURTHER IS ORDERED that the clerk of the court send petitioner two copies of this  
24 order. Petitioner must make the necessary arrangements to have one copy of this order attached to  
25 the check paying the filing fee.  
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28 <sup>1</sup> Two respondents will need to be substituted under Rule 25(d) of the Federal Rules of Civil Procedure.

1 IT FURTHER IS ORDERED that, pursuant to Rule 25(d) of the Federal Rules of Civil  
2 Procedure, the clerk of the court is directed to substitute Merrick Garland for respondent William  
3 Barr, and to substitute Alejandro Mayorkas for respondent Chad Wolf.

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6 DATED: May 11, 2021.

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9 RICHARD F. BOULWARE, II  
10 United States District Judge  
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